Remarks

By way of this Preliminary Amendment, claims 1-4 are pending. Claims 1-4 have been amended to put the claims in a format appropriate for U.S. prosecution. No new matter has been added by way of these claim amendments.

More specifically, claims 1-4 to convert the Swiss-type use claim to the U.S. method of treatment format. Applicants submit that such amendments do not change the scope of the subject matter claimed in claims 1-4, but merely puts it in an alternative format. Therefore, all claim amendments made merely address formalities in the claim format and do not change the scope of the claims. Such claim amendments are therefore not related to the patentability of the subject matter claimed.

Conclusion

Applicants respectfully submit that the pending claims, as amended, are in condition for allowance. Please charge any fees due with this amendment to deposit account number 13-3372. If the Examiner believes that a conversation with Applicants' attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned attorney at (203) 812-3964.

Respectfully submitted,

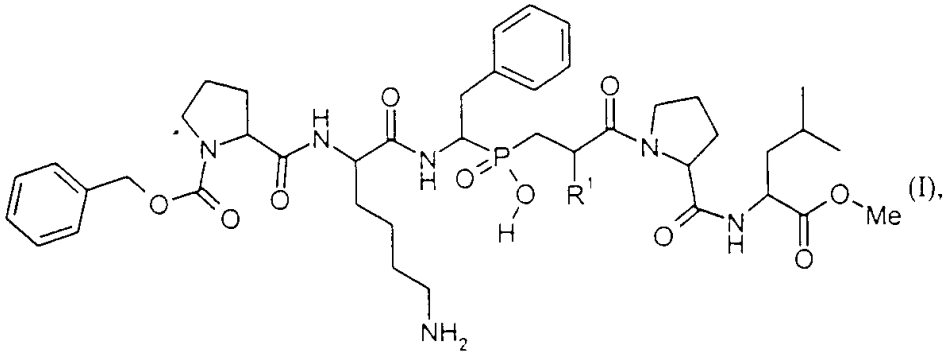
Dated: August 22, 2001

Jerrie L. Chiu
Attorney for Applicants
Reg. No. 41,670

Bayer Corporation
400 Morgan Lane
West Haven, CT 06516
(Tel) (203) 812-3964
(Fax) (203) 812-5492
e-mail: jerrie.chiu.b@bayer.com

Amended Claims for U.S.S.N. 09/830,741
Version with Markings to Show Changes Made

1. (Amended) A method of treating a fibrotic disease, comprising administering to a mammal an effective amount of a [Use of] phosphinate-peptide analog[s] of the general formula (I)

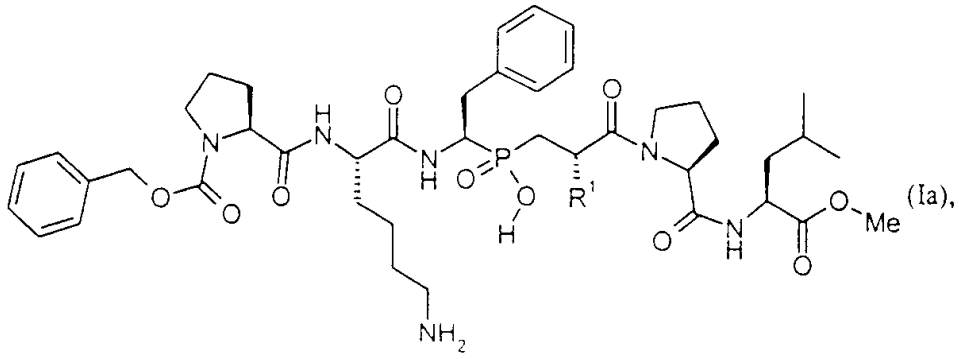


in which

R^1 represents hydrogen or methyl,

and/or their stereoisomers and salts [for producing drugs for treating fibrotic diseases].

2. (Amended) The method [Use] according to Claim 1, comprising administering a [characterized in that] compound[s] of the general formula (I) having the configuration shown in formula (Ia)

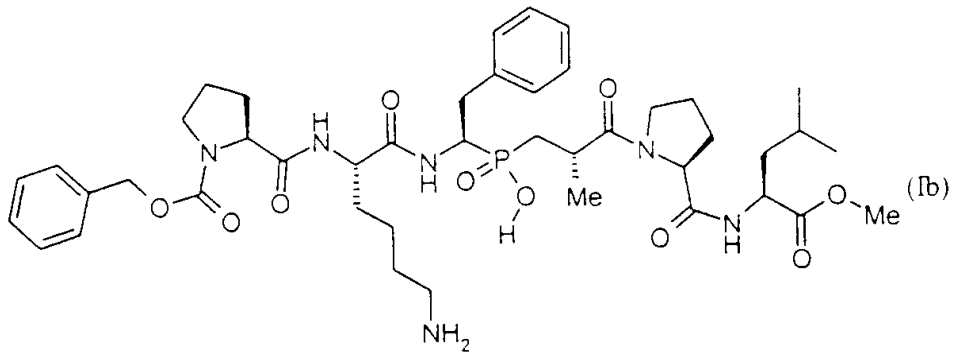


in which

R^1 represents hydrogen or methyl,

and/or their stereoisomers and salts [are used].

3. (Amended) The method [Use] according to Claim 1, comprising administering a [characterized in that the] compound of the formula (Ib)

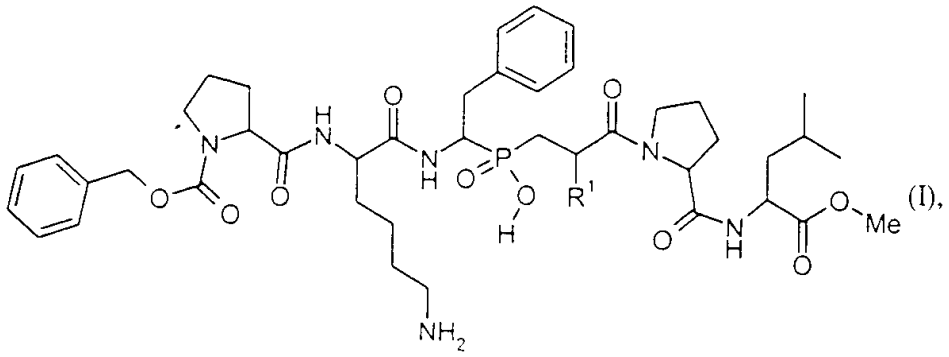


and/or its enantiomers and salts [are used].

4. (Amended) The method [Use] according to Claim 1 [for treating], wherein said fibrotic disease is liver fibrosis.

Amended Claims for U.S.S.N. 09/830,741

1. (Amended) A method of treating a fibrotic disease, comprising administering to a mammal an effective amount of a phosphinate-peptide analog of the general formula (I)



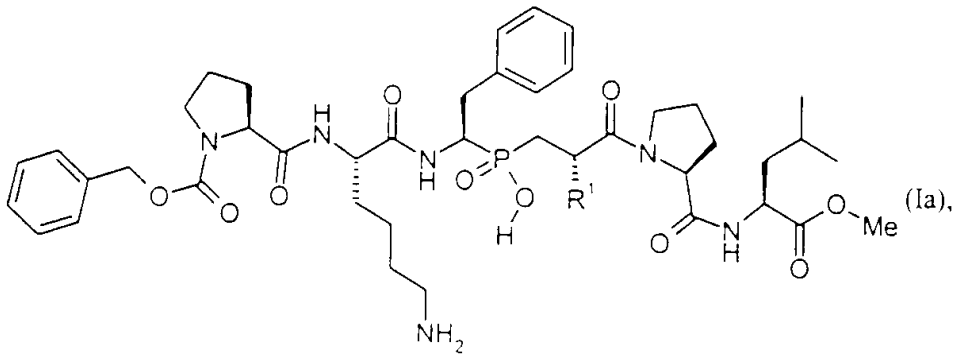
(I),

in which

R^1 represents hydrogen or methyl,

and/or their stereoisomers and salts.

2. (Amended) The method according to Claim 1, comprising administering a compound of the general formula (I) having the configuration shown in formula (Ia)



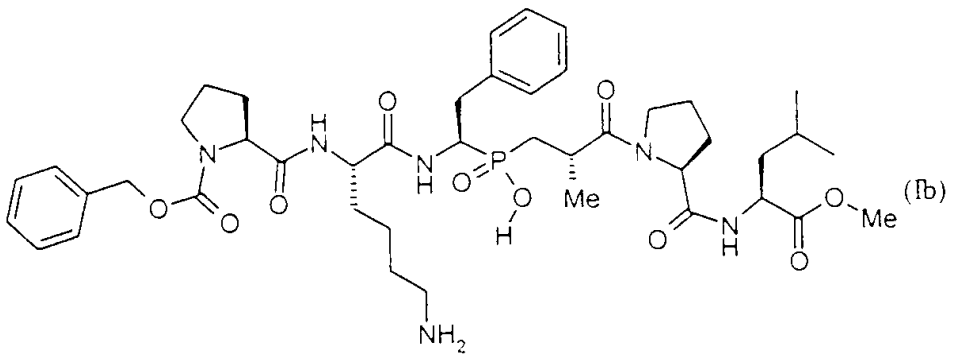
(Ia),

in which

R^1 represents hydrogen or methyl,

and/or their stereoisomers and salts.

3. (Amended) The method according to Claim 1, comprising administering a compound of the formula (Ib)



(Ib)

and/or its enantiomers and salts.

4. (Amended) The method according to Claim 1, wherein said fibrotic disease is liver fibrosis.